

Of Kimko Have Found Out," a number of leaflets and counter display cards entitled "For Aches and Pains," and a number of small cards entitled "For That Nagging Back-Ache." Examination showed that the product consisted of isopropyl alcohol, water, camphor, and material extracted from gall.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying labeling of the article were false and misleading since the article would not be adequate and effective in the treatment of the conditions represented and suggested. The statements represented and suggested that the article was an adequate and an effective treatment for spains, bruises, backache, sore, painful, swollen, or weak joints, bronchitis, arthritis, varicose veins, headache, rheumatism, leg cramps, puncture wounds, bee stings, tonsillitis, sore throat, indigestion, numb fingers, enlarged glands, wheezing respiration, paralysis following a stroke, head colds, abdominal pain, toothache, pleurisy, stiffness and pain in the neck, tumors of the extremities, earache, skin rashes, and swollen limbs.

Further misbranding, Section 502 (a), the statements on the bottle label "Active Ingredients Alcohol * * * Alcohol 53¾ percent by Vol." were false and misleading since the article did not contain ethyl alcohol but contained isopropyl alcohol.

DISPOSITION: October 27, 1949. The Kimko Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, and for destruction of the original bottle labels, and the leaflets, booklets, counter cards, and small cards, under the supervision of the Federal Security Agency.

3012. Misbranding of D-O-D. U. S. v. 7 Cans, etc. (F. D. C. No. 27832. Sample No. 51885-K.)

LIBEL FILED: September 9, 1949, Southern District of Ohio; amended libel filed October 10, 1949.

ALLEGED SHIPMENT: On or about May 20, 1949, by the C. Nelson Smith Co., from West Allis, Wis.

PRODUCT: 7 4½-ounce cans and 1 1-pound can of *D-O-D* at Columbus, Ohio, together with a number of pamphlets entitled "*D-O-D* The Human Cleanser" received by the consignee from the company sometime in 1948. Examination showed that the product consisted of sodium bicarbonate and potassium permanganate, with small proportions of magnesium sulfate and charcoal.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the pamphlets were false and misleading since the article was not effective in the treatment of the conditions, or for the purposes, stated and implied. The statements represented and suggested that the article was effective in the treatment of gangrene, diabetic gangrene, diarrhea, fistula, kidney and bladder trouble, tuberculosis of the kidney, eczema, running sores, shingles, hives, rashes, barber's itch, asthma, influenza, bronchitis, catarrh, colds, sore throat, hay fever, grippe, foot troubles, poisonous bites, flesh infection, blood poisoning, carbuncles, boils, stomach trouble, dyspepsia, dysentery, ptomaine poisoning, pyorrhea, diabetes, and stomach ulcers; that the article would rid the system of injurious substances; that it would prevent the entrance of infections through the mouth; and that when used as a douche it would maintain good health of womanhood.

DISPOSITION: December 1, 1949. Default decree of destruction.